

Introduced by Senator Hollingsworth

February 23, 2007

An act to amend Section 5120 of the Welfare and Institutions Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 915, as introduced, Hollingsworth. Group homes housing sex offenders: zoning.

Existing law establishes the State Department of Social Services and sets forth its duties and responsibilities relating to the licensure and regulation of community care facilities. Existing law establishes the State Department of Mental Health and sets forth its duties and responsibilities relating to the provision of mental health services.

Existing law establishes the policy of the state that mental patients be provided treatment in community settings, and prohibits discrimination in the enactment of zoning ordinances based upon the use of property for psychiatric care and treatment of patients, and declares that the use of property for the care of 6 or fewer mentally disordered persons is a residential use for zoning purposes.

This bill would make technical, nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5120 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 5120. It is the policy of this state as declared and established
- 4 in this act and in the Lanterman-Petris-Short Act that the care and

1 treatment of mental patients be provided in the local community.

2 ~~In~~

3 (b) *In* order to achieve uniform statewide implementation of the
4 policies of this act, it is necessary to establish the statewide policy
5 that, notwithstanding any other provision of law, no city or county
6 shall discriminate in the enactment, enforcement, or administration
7 of any zoning laws, ordinances, or rules and regulations between
8 the use of property for the treatment of general hospital or nursing
9 home patients and the use of property for the psychiatric care and
10 treatment of patients, both inpatient and outpatient.

11 ~~Health~~

12 (c) *Health* facilities for inpatient and outpatient psychiatric care
13 and treatment shall be permitted in any area zoned for hospitals
14 or nursing homes, or in which hospitals and nursing homes are
15 permitted by conditional use permit.